

KANSAS RACING AND GAMING COMMISSION

MINUTES – APRIL 14, 2023

CALL TO ORDER (A.)

Chairman David Moses called the April 14, 2023, meeting to order at 10:00 a.m. The meeting was held at the Eisenhower State Office Building in Topeka, Kansas. Notice of this meeting was given to the public via the KRGC and Public Square websites. Commissioners Brandon Jones, Larry Turnquist, and Sheryl Spalding were also present. Others present included Executive Director Don Brownlee, General Counsel Judith Taylor, Director of Administration, Audit, and Finance Brandi White, Director of Sports Wagering and Licensing DJ Lopez, and other staff.

MOTION, APPROVE AGENDA (B.)

Commissioner Spalding (Jones) moved to approve the agenda. Motion carried 4-0.

MOTION, APPROVE March 17, 2023 MEETING MINUTES (C.)

Commissioner Turnquist (Spalding) moved to approve the minutes of the March 17, 2023, meeting. Motion carried 3-0. Commissioner Jones abstained, since he was not present at the March 17th commission meeting.

MOTION, APPROVE CONSENT AGENDA (D.)

Commissioner Jones (Turnquist) moved to approve the consent agenda (six items). Motion carried 4-0.

LOTTERY GAMING FACILITY REPORTS/ITEMS; BOOT HILL CASINO & RESORT (E.1.a.)

Diane Giardine, General Manager, reported:

- March 2023 revenue numbers compared to March 2022:
 - Total gaming revenue decrease 7.02%
 - March of 2022 was the highest gaming revenue month since inception, revenue for March of 2023 was over the budgeted revenue.
 - Total slot revenue down 5.62%
 - Table games revenue down 17.71%
 - Table drop was the highest it has been since March of 2017. This is due to the casino operating table games 24 hours Thursday through Sunday from the beginning of March and the opening of the retail sportsbook.
 - On March 10th and 11th, grand opening ceremonies were held for the DraftKings retail sportsbook.
- March 2023 Sports Wagering revenue numbers
 - Retail Sportsbook Revenue -\$33,093.47
 - Down 1,802.55% from February 2023
 - Handle grew 197%, March is the highest month to date for handle.

- The Marshall Tucker Band – April 21
- Los Tigres del Norte – April 23
- For King & Country – April 29
- Blippi – April 30
- Night Ranger – May 12
- Football: Southwest Storm – March – May

LOTTERY GAMING
FACILITY
REPORTS/ITEMS;
KANSAS STAR
(E.2.a.)

Alli Kuplen, Director of Operations, reported:

- March 2023 revenue numbers compared to March 2022:
 - Total gross gaming revenue up 0.23%
 - Total slot revenue up 0.93%
 - Table games revenue down 10.37%
 - This is hold related., March had the highest volume since opening.
- March 2023 Sports Wagering revenue
 - Retail Sportsbook Revenue \$127,300.00.
 - Up from February 2023's loss of \$75,300.00.
 - Digital Sportsbook Revenue: \$5,138,000.00
 - Up from February 2023's revenue of \$10,300.00.
- March 2023 Sports Wagering
 - \$195.77 million was wagered on FanDuel online.
 - \$1.18 million was wagered in person at FanDuel retail. Of this, 448k was bet over the counter and \$730k was bet on the kiosks.
 - The facility was at full capacity by mid-morning.
 - There was a total of 13,060 bets made in person at FanDuel retail.
 - The largest wager placed at retail was on Friday, March 17 taking the Baylor Bears to beat UC Santa Barbara in the 1st round of March Madness. The wager amount was \$22,033.50 and it won.
 - Our biggest player at the Sportsbook wagered a total of \$86,854.50.
 - On the first 2 days of March Madness, there was \$215,252 wagered at FanDuel retail. Compared to \$378K wagered on Super Bowl Sunday, there were more bets in the first 2 days of March Madness they were for much smaller amounts.
 - We had 2 PPV UFC Fights in the month of March. There was close to \$38k bet on these fights.
- Upcoming Events and Promotions:
 - Double Down | Friday and Saturdays
 - VIP Blazing Hot Seats | 30 people win \$250 in Boyd Rewards | Thursday, April 13 & 27
 - Brookstone Robot Vac Giveaway | Friday, April 7 | 2p-9p
 - Stanley Tool Gift Giveaway | Friday, April 21 | 2p-9p

- April 15 – Vacation Getaway Giveaway
- April 30 - \$100K Rollin Riches
- May 1 – Traveling Table Games
- May 4 – Take It or Leave It
- May 6 – Day of Winners
- May 7 – NASCAR Sprint Cup Series AdventHealth 400

LOTTERY GAMING
FACILITY
REPORTS/ITEMS;
KANSAS CROSSING
CASINO
(E.4.a.)

Jeff McKain, General Manager, reported:

- Admissions down 6.6% compared to March 2022
- March 2022 revenue numbers compared to March 2022:
 - Coin in down 4.6%
 - Table games drop up 13.6%
 - Net gaming revenue down 0.08%
 - General Manager McKain noted that March of 2022 was a record, so revenue dipping slightly is not unexpected.
 - Retail Sportsbook Revenue: \$2,652.00
 - This is up from February 2023's loss of \$-121,828.
 - Digital Sportsbook Revenue: \$2,720,871.00
 - This is up from February 2023's loss of \$-3,310,368.
- Events and Promotions:
 - March
 - Casino Hot Seats Monday thru Thursdays.
 - Prize Wheel and Table Games Rolling in the Dough promotions on Fridays.
 - VIP dinner on Friday the 17th
 - Casino gifts on Saturdays.
 - Kentucky Headhunter concert of Friday the 4th.
 - Cash is King month end promotion was on Saturday the 25th.
 - April
 - Casino Hot Seats Monday thru Thursdays
 - Smash and Grab promotion every Friday.
 - Casino gift on Saturdays.
 - Cash Drop promotion on Saturdays.
 - Cash is King month end promotion on the 29th.
 - Concerts in April include Texas Hippie Coalition on the 15th, Pop Evil on the 21st and the Mix Tapes on the 29th.
- COVID-19
 - 1 positive case in March, 0 so far in April.

COMMISSION ITEMS –
OLD BUSINESS (F.)

There was no old business.

Committee removed all the language save the tribal sports wagering section. The bill was passed through both the House and Senate. The legislation allows tribal sports wagering to occur outside of reservation boundaries.

- Chairman Moses asked if there is a provision in the language that requires the tribe to have a compact agreement with the Governor of Kansas. Executive Director Brownlee confirmed that there is. Chairman Moses clarified that this legislation only allows tribes to offer sports wagering outside their physical reservation boundaries.
- Commissioner Turnquist asked if any reservations crossed state-lines and what that means in terms of offering sports wagering. Executive Director Brownlee said that he believes the Iowa tribe is the only tribe that crosses state-lines. Kala Loomis, Executive Director of the Kansas State Gaming Agency, approached the podium and said that she believes the Sac & Fox reservation also crosses state-lines. Chairman Moses asked General Counsel, Judith Taylor, if the geo-compliance feature would stop individuals from tribal sports wagering in other states. General Counsel Taylor said she believes that is correct.
- Chairman Moses asked if the KRGC would be responsible for regulating tribal sports wagering. Executive Director Brownlee responded that it depends on whether a tribe applies for a sports wagering license like the existing casinos. However, if a tribe is allowed to offer sports wagering through a compact, then the KRGC will have no regulatory authority. Regulation would be done by the tribe and the Kansas State Gaming Agency.
- The Legislature is currently on break and comes back April 26th, with some committees meeting on the 24th.
- It does not appear that sports wagering will pass through the Missouri legislature. Some of the conflict is regarding the addition of video lottery terminal language to the sports wagering bill.
- In Oklahoma, sports wagering has passed the House and is currently being considered by the Senate.
- Commissioner Spalding said that she had heard that there was a dispute in the City of Shawnee regarding some land and whether a tribe could offer gaming on the land.
 - Executive Director Brownlee said that he recalls a situation from roughly a year ago but is unaware of anything since then. During testimony, a year ago, the tribe had said they did not plan to use the land for gaming. Ultimately, the land was given to the tribe.

MOTIONS ON LICENSE
APPLICATIONS
(K.)

Commissioner Turnquist (Spalding) moved to *table one* license application and *approve the remaining 185* license applications from the April 14, 2023, list of background reports referred to the commission for action. The motion carried 4-0.

OTHER BUSINESS:
KANSAS
PARIMUTUEL ACT &
HISTORICAL HORSE
RACING TRAINING
(L.)

Chairman Moses announced that the commission would break for one hour for lunch and for commissioners to take the KCJIS test to keep them up to date with security testing. Open session will resume following lunch. The commission broke for lunch at 12:17 p.m.


The commission meeting returned to open session at 1:17 p.m. with Chairman Moses, Commissioner Jones, Commissioner Turnquist, and Commissioner Spalding present.

General Counsel, Judith Taylor, presented training on the Kansas Parimutuel Act and Historical Horse Racing. Training was completed at 2:46p.m.

ADJOURNMENT
(M.)


Chairman Moses stated that the May 12, 2023, commission meeting will begin at 10:00 a.m. for an in-person meeting at the Eisenhower State Office Building in Topeka, Kansas.

SUBMITTED BY:


Larry Turnquist
Secretary

Commissioner Spalding (Jones) moved to adjourn the meeting. Motion passed 4-0. The meeting was adjourned at 2:47 p.m.

APPROVED BY:


David Moses
Chairman